

under the north balcony. Mr. Niemeyer, will you please stand and be recognized. Turn to LB 346.

CLERK: LB 346, introduced by Senator Jones and Schmitt. (Read title.) The bill was introduced on January 11, referred to the Urban Affairs Committee, advanced to General File. There are Urban Affairs Committee amendments pending.

PRESIDENT ROBAK: Chair recognizes Senator Hartnett to open on the committee amendments.

SENATOR HARTNETT: Madam Chairman, members of the body, we heard the bill, LB 346, brought by Jones and Schmitt. And what it does, it only relates to second and second class cities and villages to authorize hearing before a city council or board of trustees with regard to disciplinary action or the removal of a police officer. What the committee does is put some structure in it. The city council or village board shall, by ordinance, adopt rules and regulations governing the removal or discipline any police officer, including the chief, village marshal, which ordinance shall include a procedure for making application for appeal (inaudible) on the period of time with whence application must be made and provisions on the manner in which the appeal hearing will be conducted. Both the police officer and individual imposing the disciplinary action shall have a right to...right at the hearing and be heard to present evidence to the city council or village board for its consideration. Not later than 30 days following adjournment of the meeting which the hearing was held the city council or village board shall vote to uphold, reverse or modify the removal or disciplinary action. The failure to act within 30 days or failure of the majority of elected board or council members to vote to reverse or modify the removal or disciplinary act shall be construed as a vote to uphold the removal or disciplinary action. The decision of the council or board shall be based upon its determination that under the facts and evidence presented at the hearing that challenge removal or disciplinary action was necessary for the proper management and effective operation of police departments in the performance of their duties under a statute of the State of Nebraska. Nothing herein shall be construed to prevent the preemptive suspension or immediate removal from duty of an officer by appropriate authority pending the public hearing authorized by this section in case of misconduct, neglect of duty or disobedience of order. With that, that's the committee...we simply put some structure in the